

HENRY C. "HANK" JOHNSON, JR.  
4TH DISTRICT, GEORGIA

COMMITTEES:

JUDICIARY

ARMED SERVICES

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1004**

SUBCOMMITTEES:

CRIME, TERRORISM, AND  
HOMELAND SECURITY

COURTS, COMMERCIAL AND  
ADMINISTRATIVE LAW

SEAPOWERS AND PROJECTION FORCES  
EMERGING THREATS AND CAPABILITIES

March 28, 2011

The Honorable James Clapper  
Director of National Intelligence  
6B-100, LX2 Gate 5  
1000 Colonial Farm Rd.  
McLean, VA 22101

Dear Director Clapper,

I am concerned that federal contractors HBGary Federal, Palantir Technologies and Berico Technologies may have violated the law and/or their federal contracts by conspiring to use technologies developed for U.S. intelligence and counterterrorism purposes against American citizens and organizations on behalf of private actors.

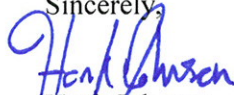
Two weeks ago, I sent a letter signed by nineteen other members of the U.S. House of Representatives to the House Oversight and Government Reform, Judiciary, Permanent Select Intelligence, and Armed Services committees. The letter called upon the committees to launch an investigation into whether or not the three contractors planned a "dirty tricks" campaign to use intelligence and counterintelligence technologies – possibly developed at public expense – to harm U.S. citizens on behalf of clients in the private sector.

To advance this investigation, my office intends to review federal contracts with the three firms. I respectfully request that you provide to my office all intelligence community contracts with these companies and any appurtenant codicils or regulations governing their implementation. To ensure that the investigation proceeds in a timely manner, I require the following within ten business days:

1. In their entirety, all past and present contracts that agencies under your authority have entered into with HB Gary Federal, Palantir Technologies or Berico Technologies, as well as any appurtenant codicils or regulations governing the implementation of such contracts.
2. A written explanation of what safeguards are in place to restrain federal contractors from using technologies developed for official use against U.S. citizens.
3. A written explanation of who owns and controls the tools and technologies developed by third parties pursuant to contracts with agencies over which you exercise authority.

I look forward to reviewing this information in the very near future.

Sincerely,



Hank Johnson  
Member of Congress

WASHINGTON OFFICE  
1427 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
PHONE (202) 225-1605  
FAX (202) 226-0691

DISTRICT OFFICE  
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March 28, 2011

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Holder,

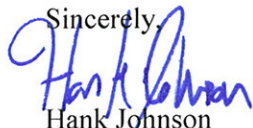
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To advance this investigation, my office intends to review federal contracts with the three firms. I respectfully request that you provide to my office all Department of Justice contracts with these companies and any appurtenant codicils or regulations governing their implementation. To ensure that the investigation proceeds in a timely manner, I require the following within ten business days:

1. In their entirety, all past and present contracts the Department of Justice has entered into with HBGary Federal, Palantir Technologies or Berico Technologies, as well as any appurtenant codicils or regulations governing the implementation of such contracts.
2. A written explanation of what safeguards are in place to restrain federal contractors from using technologies developed for official use against U.S. citizens.
3. A written explanation of who owns and controls the tools and technologies developed by third parties pursuant to contracts with agencies over which you exercise authority.

I look forward to reviewing this information in the very near future.

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March 28, 2011

The Honorable Robert M. Gates  
Secretary  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington DC, 20301

Dear Secretary Gates,

I am concerned that federal contractors HBGary Federal, Palantir Technologies and Berico Technologies may have violated the law and/or their federal contracts by conspiring to use technologies developed for U.S. intelligence and counterterrorism purposes against American citizens and organizations on behalf of private actors.

Two weeks ago, I sent a letter signed by nineteen other members of the U.S. House of Representatives to the House Oversight and Government Reform, Judiciary, Permanent Select Intelligence, and Armed Services committees. The letter called upon the committees to launch an investigation into whether or not the three contractors planned a "dirty tricks" campaign to use intelligence and counterintelligence technologies – possibly developed at public expense – to harm U.S. citizens on behalf of clients in the private sector.

To advance this investigation, my office intends to review federal contracts with the three firms. I respectfully request that you provide to my office all Department of Defense contracts with these companies and any appurtenant codicils or regulations governing their implementation. To ensure that the investigation proceeds in a timely manner, I require the following within ten business days:

1. In their entirety, all past and present contracts the Department of Defense has entered into with HB Gary Federal, Palantir Technologies or Berico Technologies, as well as any appurtenant codicils or regulations governing the implementation of such contracts.
2. A written explanation of what safeguards are in place to restrain federal contractors from using technologies developed for official use against U.S. citizens.
3. A written explanation of who owns and controls the tools and technologies developed by third parties pursuant to contracts with agencies over which you exercise authority.

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